

SENATE JOURNAL

EIGHTY-FOURTH LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-THIRD DAY

(Wednesday, April 29, 2015)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

Chaplain Mack Praytor, Texas Air National Guard, offered the invocation as follows:

Almighty God, we are grateful today for Your blessings. Thank You for this beautiful state that we are privileged to call home. We are mindful of the men and women in military service who are representing our nation around the world. We pray for the safety of those deployed to hostile regions. May You also be with their families as they anxiously await their return. We pray for our veterans, especially those who are suffering from wounds both seen and unseen. We also pray for the people of Nepal as they struggle to put their lives back together. May You bless each Member of this Senate with the heart of a servant. Give them the courage of their convictions tempered by humility. May they find the wisdom to act with fairness, justice, and mercy, and may they always be guided by Your spirit, this day and every day. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, April 29, 2015 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 6 Otto

Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.

HB 7 Darby

Relating to the amounts, availability, and use of certain statutorily dedicated revenue and accounts; providing for the dedication and use of certain state revenue; reducing or affecting the amounts or rates of certain statutorily dedicated fees and assessments; redesignating the bingo prize fee as a prize tax and providing for the collection and use of the tax.

HB 23 Davis, Sarah

Relating to disclosure of certain relationships with local government officers and vendors; creating criminal offenses.

HB 324 Dutton

Relating to a requirement that a peace officer obtain a search warrant before conducting a body cavity search during a traffic stop.

HB 426 Howard

Relating to the acceptance of employment applications through the online system for listing state agency employment openings maintained by the Texas Workforce Commission.

HB 590 Elkins

Relating to the creation of research technology corporations for the development and commercialization of technologies owned by institutions of higher education or by certain medical centers with members that are institutions of higher education; providing for tax exemptions; providing a penalty.

HB 699 Nevárez

Relating to requiring public institutions of higher education to establish a policy on campus sexual assault.

HB 1022 Moody

Relating to the eligibility for an exemption from ad valorem taxation of the residence homestead of certain persons with a life estate in the homestead property.

HB 1388 Bohac

Relating to certain diseases or illnesses suffered by firefighters and emergency medical technicians.

HB 1794

Geren

Relating to suits brought by local governments for violations of certain laws under the jurisdiction of, or rules adopted or orders or permits issued by, the Texas Commission on Environmental Quality; affecting civil penalties.

HB 1902

Howard

Relating to the regulation and use of graywater and alternative onsite water.

HB 2053

Farney

Relating to the protection of certain children who may be subject to child abuse or neglect through the operation of the child safety check alert list.

HB 2068

Coleman

Relating to automatic employee participation in and administration of a deferred compensation plan provided by certain hospital districts.

HB 2083

Darby

Relating to the determination of the appraised value of property for purposes of an ad valorem tax protest or appeal.

HB 2505

Clardy

Relating to health benefit plan coverage for abuse-deterrent opioid analgesic drugs.

HB 2771

Martinez, "Mando"

Relating to employment activities of certain emergency response personnel for purposes of the Texas Workers' Compensation Act.

HB 2903

Davis, Sarah

Relating to training requirements for certain child-care workers.

SB 835

Taylor, Van

Sponsor: Sheets

Relating to increasing the punishment for the offense of fraudulent or fictitious military record.

SCR 17

Whitmire

Sponsor: Thompson,
Senfronia

In memory of Bob Lanier.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives**GUESTS PRESENTED**

Senator Birdwell, joined by Senator Burton, was recognized and introduced to the Senate a Burleson Young Executive Alliance delegation.

The Senate welcomed its guests.

PHYSICIAN OF THE DAY

Senator Garcia was recognized and presented Dr. Rosanne Popp of Houston as the Physician of the Day.

The Senate welcomed Dr. Popp and thanked her for her participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

April 28, 2015
Austin, Texas

TO THE SENATE OF THE EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To the Texas Higher Education Coordinating Board for a term to expire August 31, 2015:

Syed "Javaid" Anwar
Midland, Texas

Mr. Anwar is replacing Jacob M. Monty of Houston who resigned.

Respectfully submitted,
/s/Greg Abbott
Governor

SENATE RESOLUTION 605

Senator Huffman offered the following resolution:

SR 605, Recognizing March 26, 2015, as K9s4COPS Day.

The resolution was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of the resolution.

GUESTS PRESENTED

Senator Huffman was recognized and introduced to the Senate a K9s4COPS Day delegation.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator West was recognized and introduced to the Senate a Light of the World Church of Christ delegation.

The Senate welcomed its guests.

SENATE CONCURRENT RESOLUTION 17

The President laid before the Senate the following resolution:

SCR 17, In memory of Bob Lanier.

WHITMIRE
BETTENCOURT
CREIGHTON
ELLIS
GARCIA

HUFFMAN
KOLKHORST
NICHOLS
L. TAYLOR

The resolution was again read.

On motion of Senator West and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

SCR 17 was previously adopted on Tuesday, February 24, 2015.

In honor of the memory of Bob Lanier, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Whitmire was recognized and introduced to the Senate Elyse Lanier.

The Senate welcomed its guest and extended its sympathy.

GUESTS PRESENTED

Senator Eltife was recognized and introduced to the Senate a City of Marshall delegation.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

CONCLUSION OF MORNING CALL

The President at 11:59 a.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 632 ON SECOND READING

Senator Fraser moved to suspend the regular order of business to take up for consideration **CSSB 632** at this time on its second reading:

CSSB 632, Relating to the creation of the governor's university research initiative and to the abolishment of the Texas emerging technology fund.

The motion prevailed.

Senator Burton asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Burton.

COMMITTEE SUBSTITUTE SENATE BILL 632 ON THIRD READING

Senator Fraser moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 632** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Burton.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

REASON FOR VOTE

Senator Burton submitted the following reason for vote on **CSSB 632**:

I voted against SB 632 because it moves tax dollars from one corporate welfare fund to another equally wasteful corporate welfare fund, the Texas Enterprise Fund. It also moves tax dollars to a grant program that will subsidize the recruitment of Nobel Laureates and National Academy members to public universities. The University Research Initiative Fund, created in this bill, is touted as a "catalyst for economic development." However, wealth redistribution via government grant programs is never an efficient use of our state's finite available capital. I believe the best approach to achieve that goal would be to return these funds to the taxpayers of Texas who will make the most efficient use for them in our market economy.

BURTON

COMMITTEE SUBSTITUTE SENATE BILL 1280 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1280** at this time on its second reading:

CSSB 1280, Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 1280 ON THIRD READING

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1280** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1304 ON SECOND READING

Senator Menéndez moved to suspend the regular order of business to take up for consideration **SB 1304** at this time on its second reading:

SB 1304, Relating to the creation of a women veterans mental health initiative within the mental health intervention program for veterans.

The motion prevailed.

Senator Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Huffines.

SENATE BILL 1304 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1304** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Huffines.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

SENATE BILL 1708 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1708** at this time on its second reading:

SB 1708, Relating to the creation of a governor's program for victims of child sex trafficking.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1708 ON THIRD READING

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1708** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 638 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 638** at this time on its second reading:

CSSB 638, Relating to the transfer of certain state property from the Texas Department of Transportation to the Shepherd Independent School District; requiring the payment of certain transaction fees.

The bill was read second time and was passed to engrossment without objection.
All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 638 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 638** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1305 ON SECOND READING

Senator Menéndez moved to suspend the regular order of business to take up for consideration **SB 1305** at this time on its second reading:

SB 1305, Relating to the creation of a rural veterans mental health initiative within the mental health intervention program for veterans.

The motion prevailed.

Senator Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Huffines.

SENATE BILL 1305 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1305** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Huffines.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 777 ON SECOND READING**

On motion of Senator Fraser and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 777** at this time on its second reading:

CSSB 777, Relating to the authority of the Public Utility Commission of Texas to restrict participation in the retail electric market for significant violations.

The bill was read second time and was passed to engrossment without objection.
All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 777 ON THIRD READING**

Senator Fraser moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 777** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 1307 ON SECOND READING

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 1307** at this time on its second reading:

SB 1307, Relating to occupational licenses for military service members, military veterans, and military spouses.

The bill was read second time and was passed to engrossment without objection.
All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 1307 ON THIRD READING

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1307** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 1576 ON SECOND READING**

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1576** at this time on its second reading:

CSSB 1576, Relating to the compensatory time and overtime pay for commissioned officers of the Department of Public Safety.

The bill was read second time and was passed to engrossment without objection.
All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1576 ON THIRD READING**

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1576** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 1243 ON SECOND READING**

On motion of Senator Burton and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1243** at this time on its second reading:

CSSB 1243, Relating to donation of unused prescription drugs.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment.

**COMMITTEE SUBSTITUTE
SENATE BILL 1243 ON THIRD READING**

Senator Burton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1243** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(Senator Perry in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 326 ON SECOND READING**

Senator Estes moved to suspend the regular order of business to take up for consideration **CSSB 326** at this time on its second reading:

CSSB 326, Relating to the amount of wine certain wineries may sell directly to consumers.

The motion prevailed.

Senators Perry, Seliger, and Watson asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Perry, Seliger, Watson.

**COMMITTEE SUBSTITUTE
SENATE BILL 326 ON THIRD READING**

Senator Estes moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 326** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Rodríguez, Schwertner, L. Taylor, V. Taylor, Uresti, West, Whitmire, Zaffirini.

Nays: Perry, Seliger, Watson.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 228 ON SECOND READING

Senator Creighton moved to suspend the regular order of business to take up for consideration **CSSB 228** at this time on its second reading:

CSSB 228, Relating to an exemption from the sales tax for firearms and hunting supplies for a limited period.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Campbell, Creighton, Eltife, Estes, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, Whitmire.

Nays: Birdwell, Burton, Ellis, Fraser, Garcia, Huffines, Menéndez, Rodríguez, West, Zaffirini.

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 228** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 151.358(b), Tax Code (page 1), strike lines 39-45 and substitute the following:
during a period beginning at 12:01 a.m. on the Saturday of the last full weekend in August and ending at 12 midnight on the following Sunday.

(2) In SECTION 2 of the bill (page 1, lines 46-47), strike "Section 151.358(b)(1), Tax Code" and substitute "Section 151.358, Tax Code".

(3) In SECTION 2 of the bill (page 1, line 48), strike "subdivision" and substitute "section".

The amendment to **CSSB 228** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Creighton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 228 as amended was passed to engrossment by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Campbell, Creighton, Eltife, Estes, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, Whitmire.

Nays: Birdwell, Burton, Ellis, Fraser, Garcia, Huffines, Menéndez, Rodríguez, West, Zaffirini.

REASON FOR VOTE

Senator Burton submitted the following reason for vote on **CSSB 228**:

I voted against SB 228 because I do not believe that state government should encourage or discourage market participation via tax manipulation.

BURTON

SENATE BILL 2054 ON SECOND READING

On motion of Senator Birdwell and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2054** at this time on its second reading:

SB 2054, Relating to the transfer of certain state property from the Texas Juvenile Justice Department to the State Orphans Home Alumni Association.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 2054 ON THIRD READING

Senator Birdwell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2054** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 1828 ON SECOND READING

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **CSSB 1828** at this time on its second reading:

CSSB 1828, Relating to the creation of the offense of cargo theft.

The motion prevailed.

Senator Huffines asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Huffines.

**COMMITTEE SUBSTITUTE
SENATE BILL 1828 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1828** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Huffines.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 1964 ON SECOND READING**

Senator Hinojosa moved to suspend the regular order of business to take up for consideration **CSSB 1964** at this time on its second reading:

CSSB 1964, Relating to the imposition of additional fees for filing civil cases and for recording certain documents in Hidalgo County.

The motion prevailed.

Senators Fraser and V. Taylor asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Fraser, V. Taylor.

**COMMITTEE SUBSTITUTE
SENATE BILL 1964 ON THIRD READING**

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1964** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Garcia, Hall, Hancock, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Fraser, V. Taylor.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

SENATE JOINT RESOLUTION 30 ON SECOND READING

Senator L. Taylor moved to suspend the regular order of business to take up for consideration **SJR 30** at this time on its second reading:

SJR 30, Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation real property leased to certain schools organized and operated primarily for the purpose of engaging in educational functions.

The motion prevailed.

Senator Rodríguez asked to be recorded as voting "Nay" on suspension of the regular order of business.

The resolution was read second time.

Senator L. Taylor offered the following amendment to the resolution:

Floor Amendment No. 1

Amend **SJR 30** (senate committee printing) in SECTION 1 of the resolution, in amended Section 2(a), Article VIII, 2 Texas Constitution (page 1, lines 53-55), by striking the underlined text and substituting "any real property that is leased to a person for use as a school that operates under a charter granted by the State Board of Education, the Commissioner of Education, or any other state officer that is qualified as provided by Section 11.21, Tax Code, or a successor statute;".

The amendment to **SJR 30** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator L. Taylor and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

SJR 30 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Rodríguez.

SENATE JOINT RESOLUTION 30 ON THIRD READING

Senator L. Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SJR 30** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Rodríguez.

The resolution was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

(President in Chair)

SENATE BILL 545 ON SECOND READING

Senator L. Taylor moved to suspend the regular order of business to take up for consideration **SB 545** at this time on its second reading:

SB 545, Relating to the exemption from ad valorem taxation of real property leased to and used by certain schools.

The motion prevailed.

Senator Rodríguez asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator L. Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 545** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 11.211, Tax Code (page 1, line 32), strike "a school" and substitute "an open-enrollment charter school authorized by Subchapter D, Chapter 12, Education Code,".

(2) In SECTION 1 of the bill, in added Section 11.211, Tax Code (page 1, line 33), between "11.21(d)" and "if", insert "of this code".

The amendment to **SB 545** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator L. Taylor and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 545 as amended was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Nays: Rodríguez.

SENATE BILL 545 ON THIRD READING

Senator L. Taylor moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 545** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Rodríguez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

COMMITTEE SUBSTITUTE SENATE BILL 1171 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1171** at this time on its second reading:

CSSB 1171, Relating to the operation of certain oversize or overweight vehicles transporting timber, timber products, or forestry equipment on certain public roadways.

The bill was read second time and was passed to engrossment without objection.

All Members are deemed to have voted "Yea" on the passage to engrossment.

COMMITTEE SUBSTITUTE
SENATE BILL 1171 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1171** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(Senator Schwertner in Chair)

SENATE JOINT RESOLUTION 60 ON SECOND READING

Senator Campbell moved to suspend the regular order of business to take up for consideration **SJR 60** at this time on its second reading:

SJR 60, Proposing a constitutional amendment authorizing the governing body of a political subdivision to adopt a local option exemption from ad valorem taxation of a portion, expressed as a dollar amount, of the market value of real property of a business that employs honorably discharged veterans.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Ellis, Garcia, Huffines, Rodríguez.

The resolution was read second time.

Senator Campbell offered the following amendment to the resolution:

Floor Amendment No. 1

Amend **SJR 60** (senate committee printing) in SECTION 1 of the joint resolution, in added Section 1-s, Article VIII, Texas Constitution (page 1, line 36), by inserting the following between the underlined period and "The":

The amount of the exemption authorized by this section may not exceed \$15,000 of the market value of the property for each honorably discharged veteran employed by the business.

The amendment to **SJR 60** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Campbell and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

SJR 60 as amended was passed to engrossment by the following vote: Yeas 27, Nays 4.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Ellis, Hancock, Huffines.

SENATE JOINT RESOLUTION 60 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SJR 60** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Ellis, Huffines.

The resolution was read third time and was passed by the following vote: Yeas 27, Nays 4.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Ellis, Hancock, Huffines.

REASON FOR VOTE

Senator Burton submitted the following reason for vote on **SJR 60**:

I voted against SJR 60 because I do not believe that a government subsidy of selected businesses is equitable. Doing so also creates a new class of taxpayer whose preferential position in the existing property tax system will, as a class, resist efforts to reform or eliminate our state's dependence on property taxation.

BURTON

SENATE BILL 1821 ON SECOND READING

Senator Campbell moved to suspend the regular order of business to take up for consideration **SB 1821** at this time on its second reading:

SB 1821, Relating to a local option exemption from ad valorem taxation of a portion of the appraised value of real property of a business that employs honorably discharged veterans.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Ellis, Garcia, Huffines, Rodríguez.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **SB 1821** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 11.37(a), Tax Code (page 1, between lines 37 and 38), insert the following new subdivision, appropriately numbered, and renumber subdivisions of Section 11.37(a), Tax Code, accordingly:

() "Qualifying property" means real property located in this state that is owned by, and used primarily for the business purposes of, a qualifying business.

(2) In SECTION 1 of the bill, in added Section 11.37, Tax Code (page 1, lines 43-57), strike Subsections (b) through (e) and substitute the following:

(b) Subject to Subsection (d), the governing body of a taxing unit may agree in writing with the owner of a qualifying business to exempt from taxation a portion of the appraised value of the owner's qualifying property for a period not to exceed 10 years, on the condition that, during that period, the owner of the property meets or exceeds goals for the employment of one or more veterans. The amount of the exemption may not exceed \$15,000 of the appraised value of the qualifying property for each veteran employed by the qualifying business.

(c) Before entering into a tax exemption agreement under Subsection (b), the governing body of a taxing unit shall adopt guidelines and criteria for such agreements. The guidelines and criteria adopted under this subsection:

(1) are effective until the second anniversary of the date of their adoption by the governing body;

(2) must include the minimum exemption amount to which a qualifying business is entitled; and

(3) may provide for different exemption amounts based on reasonable factors, including the amount of compensation paid to each veteran employed and whether the veteran receives certain employment benefits.

(d) The governing body of a taxing unit may not enter into a tax exemption agreement under Subsection (b) unless the governing body finds that the terms of the agreement and the property subject to the agreement meet the guidelines and criteria adopted by the governing body under Subsection (c).

(e) A tax exemption agreement under this section is subject to the rights of holders of the outstanding bonds of the taxing unit.

(3) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 11.43(c), Tax Code, is amended to read as follows:

(c) An exemption provided by Section 11.13, 11.131, 11.132, 11.17, 11.18, 11.182, 11.1827, 11.183, 11.19, 11.20, 11.21, 11.22, 11.23(h), (j), or (j-1), 11.231, 11.254, 11.271, 11.29, 11.30, 11.31, ~~[or]~~ 11.315, or 11.37, once allowed, need not be claimed in subsequent years, and except as otherwise provided by Subsection (e), the exemption applies to the property until it changes ownership or the person's qualification for the exemption changes. However, the chief appraiser may require a person allowed one of the exemptions in a prior year to file a new application to

confirm the person's current qualification for the exemption by delivering a written notice that a new application is required, accompanied by an appropriate application form, to the person previously allowed the exemption.

The amendment to **SB 1821** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

On motion of Senator Campbell and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

SB 1821 as amended was passed to engrossment by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Ellis, Huffines.

SENATE BILL 1821 ON THIRD READING

Senator Campbell moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 1821** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Eltife, Estes, Fraser, Garcia, Hall, Hancock, Hinojosa, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Schwertner, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Burton, Ellis, Huffines.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

(President in Chair)

(Senator V. Taylor in Chair)

(President in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 1628 ON SECOND READING

Senator L. Taylor moved to suspend the regular order of business to take up for consideration **CSSB 1628** at this time on its second reading:

CSSB 1628, Relating to insurance claims and certain prohibited acts and practices in or in relation to the business of insurance; amending provisions that are or may be subject to a criminal penalty.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

The bill was read second time.

Senator L. Taylor offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1628** (senate committee printing) as follows:

(1) In SECTION 3 of the bill, in added Section 541.1511(b)(2), Insurance Code (page 2, line 8), strike "writing" and substitute "a document provided to the insured".

(2) In SECTION 7 of the bill, in added Section 541.1541(c), Insurance Code (page 2, line 38), strike "contain a statement signed by the insured" and substitute "be signed by the insured and state".

(3) In SECTION 7 of the bill, in added Section 541.1541(c)(1), Insurance Code (page 2, line 39), strike "stating".

(4) In SECTION 7 of the bill, in added Section 541.1541(c)(4), Insurance Code (page 2, line 47), strike "a stated amount" and substitute "an amount".

(5) In SECTION 8 of the bill, in amended Section 541.155(e), Insurance Code (page 3, line 39), strike "if Section 541.154(c) or 541.1541(f) applies" and substitute "if Section 541.1541(f) [~~541.154(e)~~] applies".

(6) In SECTION 8 of the bill, in amended Section 541.155(e), Insurance Code (page 3, lines 39-40), strike "If Section 541.154(c) or 541.1541(f) applies" and substitute "If Section 541.1541(f) applies".

(7) In SECTION 12 of the bill, in added Section 1808.002, Insurance Code (page 4, line 47), strike "by an insurance company," and substitute "by an eligible surplus lines insurer or by an insurance company,".

(8) In SECTION 12 of the bill, in added Section 1808.002, Insurance Code (page 4, line 51), strike "or an eligible surplus lines insurer".

(9) In SECTION 13 of the bill, in amended Section 4102.051(a), Insurance Code (page 4, line 69, through page 5, line 1), strike "or certificate" and substitute "[~~or certificate~~]".

(10) In SECTION 14 of the bill, in the recital (page 5, line 3), strike "Section 4102.066(a), Insurance Code, is amended" and substitute "Sections 4102.066(a) and (b), Insurance Code, are amended".

(11) In SECTION 14 of the bill, following amended Section 4102.066(a), Insurance Code (page 5, between lines 17 and 18), insert the following:

(b) The amount of the fee for the renewal of a license [~~or a certificate~~] issued under this chapter shall be determined by rule by the commissioner.

The amendment to **CSSB 1628** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator L. Taylor offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1628** (senate committee printing) by inserting the following appropriately numbered SECTION and renumbering SECTIONS of the bill appropriately:

SECTION _____. The legislature finds that:

(1) there is an explosion in property insurance litigation, often related to hail claims, that has created a property insurance crisis for consumers that must be addressed for the benefit of consumers;

(2) the property insurance crisis, if left unchecked, will severely affect the availability and affordability of property insurance for consumers, including coverage for hail claims, to the detriment of consumers;

(3) this Act will help consumers who currently sometimes barely qualify for home loans, or may be unable to qualify for those loans, because of the increase in the cost of insurance attributable to hail claims litigation;

(4) this Act will help consumers by:

(A) preventing further disruption of the insurance market and erosion in the availability of property insurance caused by hail claims litigation as have already been seen in certain parts of the state in which carriers have withdrawn from geographical markets and stopped offering insurance to consumers;

(B) preventing an increase in future premiums caused by the losses attributable to hail claims litigation;

(C) preventing an increase in deductibles in property insurance policies attributable to hail claims litigation;

(D) reducing the incentives to those unscrupulous public adjusters, roofers, contractors, and lawyers who provide fraudulent or inflated estimates and claims in the name of consumers;

(E) requiring lawyers to make sure the consumers have actual awareness of the claims being submitted on behalf of the consumers;

(F) requiring lawyers to inform consumers that lawsuits are being filed in the name of the consumers;

(G) requiring public adjusters, roofers, contractors, and lawyers to disclose their actual relationships to one another, which currently may not be disclosed;

(H) ensuring that each consumer in fact knows the damages the consumer is seeking in any claim or lawsuit that is filed;

(I) reducing instances of fraud or misinformation in the preparation and submission of property insurance claims and the filing of lawsuits related to those claims;

(J) encouraging consumers and those who act on behalf of consumers to diligently identify and pursue claims so consumers are not faced with insurance carrier assertions that policyholder claims are filed too late and can, as a result, be declined; and

(K) providing insurance policyholders a transparent and fair appraisal process to resolve disputes with insurance carriers without the need of expensive, risky, and time-consuming lawsuits, while maintaining consumers' rights to pursue lawsuits against carriers, if necessary;

(5) this Act will help deter corruption of the law and will help restore respect for the law by preventing rampant solicitation of fraudulent or non-meritorious claims and the filing of fraudulent, inflated, or otherwise non-meritorious claims; and

(6) this Act will help prevent disruption and dislocation in the real estate and financial markets by deterring abusive lawsuits that make property and casualty insurance unaffordable or unavailable to many Texans, resulting in artificial costs and barriers to the sale and rental of improved real estate properties and the placement of loans on those properties.

The amendment to **CSSB 1628** was read and was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1628** (senate committee printing) as follows:

(1) In SECTION 2 of the bill, in amended Section 541.151, Insurance Code (page 1, line 33), strike "(a)".

(2) In SECTION 2 of the bill, in amended Section 541.151, Insurance Code (page 1, lines 44-49), strike added Subsection (b).

The amendment to **CSSB 1628** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No 3.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSSB 1628** (senate committee report) by striking SECTION 3 (page 1, line 50 to page 2, line 10) of the bill and renumbering accordingly.

The amendment to **CSSB 1628** was read.

On motion of Senator L. Taylor, Floor Amendment No. 4 was tabled by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Lucio, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 5

Amend **CSSB 1628** (senate committee report) in SECTION 3 as follows:

In Sec. 541.1511(b) on page 2, after line 10, add subsection (c) as follows:

(c) A dismissal under subsection (b) (1) and agreement under subsection (b) (2) do not limit the insurer's liability and do not limit the insurer's vicarious liability for any act or omission of the employee, agent, representative, or adjuster related to or arising out of the insured's claim.

The amendment to **CSSB 1628** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 5.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 6

Amend **CSSB 1628** (Senate Committee Report) as follows:

(1) In SECTION 7 of the bill (Pages 2-3, lines 2-25 to 3-2) insert subsections (b-1) and (g) to read as follows:

(b-1) All potential defendants to which this section applies must comply with this section upon receipt of written notice by the insured.

(g) Upon request by the insured, a defendant must provide in writing:

(1) all relevant facts establishing the defendant's bona fide dispute;

(2) explanation as to why the defendant has not paid the claim as asserted;

and

(3) all documents relating to the claim.

The amendment to **CSSB 1628** was read.

On motion of Senator L. Taylor, Floor Amendment No. 6 was tabled by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Lucio, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Senator L. Taylor offered the following amendment to the bill:

Floor Amendment No. 7

Amend **CSSB 1628** (senate committee printing) as follows:

(1) In SECTION 10 of the bill, in amended Section 542.060(a), Insurance Code (page 3, line 60), strike "knowingly fails to act [is not]" and substitute "is not".

(2) In SECTION 10 of the bill, strike added Section 542.060(a-1), Insurance Code (page 3, line 66, through page 4, line 1).

(3) Add the following appropriately numbered SECTION and renumber SECTIONS of the bill appropriately:

SECTION _____. Section 542.058(b), Insurance Code, is amended to read as follows:

(b) Subsection (a) does not apply in a case in which it is found as a result of arbitration or litigation that:

(1) a claim received by an insurer is invalid and should not be paid by the insurer; or

(2) there exists a bona fide dispute as to the insurer's liability for payment of the claim.

The amendment to **CSSB 1628** was read and was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Senator V. Taylor offered the following amendment to the bill:

Floor Amendment No. 8

Amend **CSSB 1628** (senate committee printing) as follows:

(1) In SECTION 10 of the bill, after amended Section 542.060(b), Insurance Code (page 4, between lines 4 and 5), insert the following appropriately lettered subsections and reletter subsections of amended Section 542.060, Insurance Code, appropriately:

() In determining the amount of attorney's fees awarded under Subsection (a), the trier of fact shall consider:

(1) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;

(2) the likelihood, if apparent to the claimant, that the acceptance of the particular employment will preclude other employment by the attorney;

(3) the fee customarily charged in the locality for similar legal services;

(4) the amount involved and the results obtained;

(5) the time limitations imposed by the claimant or by the circumstances;

(6) the nature and length of the professional relationship with the claimant;

(7) the experience, reputation, and ability of the attorney performing the services; and

(8) whether the fee is fixed or contingent on results obtained or uncertainty of collection before the legal services have been rendered.

() An attorney may not share attorney's fees awarded under Subsection (a) with the claimant. If a court finds that an attorney has violated this subsection, the court shall order the attorney to pay a penalty in an amount equal to two times the amount shared with the claimant. A penalty under this section is payable to the court.

The amendment to **CSSB 1628** was read and was adopted by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Senator V. Taylor offered the following amendment to the bill:

Floor Amendment No. 9

Amend **CSSB 1628** (senate committee printing) in SECTION 10 of the bill, following added Section 542.060(c), Insurance Code (page 4, between lines 9 and 10), by inserting the following appropriately designated subsection:

() If a claim for a loss has been paid by the insurer and a suit under this section arises out of a supplemental claim for that loss, interest awarded under this section on the supplemental claim begins to accrue on the 60th day after the date the insurer receives notice of the supplemental claim.

The amendment to **CSSB 1628** was read and was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Lucio, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Senator Hancock offered the following amendment to the bill:

Floor Amendment No. 10

Amend **CSSB 1628** (senate committee printing) as follows:

(1) In SECTION 11 of the bill, strike added Section 542.0601, Insurance Code (page 4, lines 12-35), and substitute the following:

Sec. 542.0601. LIABILITY WITH RESPECT TO CERTAIN CLAIMS. An insurer is not liable under Section 542.060 with respect to a claim made under an insurance policy covering real property or improvements to real property if the claim is resolved through appraisal in accordance with the terms of the policy.

(2) In SECTION 12 of the bill, in the recital (page 4, line 37), strike "Chapter 1808" and substitute "Chapters 1808 and 1809".

(3) In SECTION 12 of the bill, following added Chapter 1808, Insurance Code (page 4, between lines 64 and 65), insert the following:

CHAPTER 1809. APPRAISAL PROCESS FOR CERTAIN POLICIES

Sec. 1809.001. NOTICE OF APPRAISAL PROVISIONS; APPRAISER SELECTION PROCESS. (a) If an insurance policy covering real property or improvements to real property contains a provision allowing resolution of a dispute through appraisal, the policy must contain, in boldface type, a conspicuous notice concerning the resolution of disputes through the appraisal process, including:

(1) the processes and deadlines for appraisal; and

(2) the binding effect, if any, of the appraisal decision.

(b) The appraisal process must provide and the notice required by this section must inform the insured that:

(1) if the appraisal process is invoked, the insured and insurer each will be required to name an appraiser, and those two appraisers must agree on a competent and impartial appraisal umpire to participate in the resolution of the dispute; and

(2) if the appraisers named by the insured and insurer are unable to agree for any reason on a competent and impartial appraisal umpire to participate in the resolution of the dispute, the commissioner will select a competent and impartial appraisal umpire from a roster of qualified umpires maintained by the department.

Sec. 1809.002. APPRAISAL AWARD. An appraisal award made under a policy covering real property or improvements to real property must be consistent with the coverage, conditions, and limits provided by the policy and must account for any prior payments and applicable deductible amounts.

(4) Insert the following appropriately numbered SECTION and renumber SECTIONS of the bill appropriately:

SECTION _____. Chapter 1809, Insurance Code, as added by this Act, applies only to an insurance policy delivered, issued for delivery, or renewed on or after January 1, 2016.

The amendment to **CSSB 1628** was read and was adopted by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Lucio, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

Senator Burton offered the following amendment to the bill:

Floor Amendment No. 11

Amend **CSSB 1628** (senate committee printing) in SECTION 12 of the bill, in added Section 1808.003, Insurance Code (page 4, lines 52-56), by striking Subsection (a) and redesignating subsections appropriately.

The amendment to **CSSB 1628** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 11.

Senator Bettencourt offered the following amendment to the bill:

Floor Amendment No. 12

Amend **CSSB 1628** (senate committee printing) as follows:

(1) In SECTION 12 of the bill, in added Section 1808.003(b), Insurance Code (page 4, line 57), strike "Failure" and substitute "Subject to Subsection (c), failure".

(2) In SECTION 12 of the bill, following added Section 1808.003(b), Insurance Code (page 4, between lines 60 and 61), insert the following:

(c) Subject to Subsection (d), the commissioner, using existing resources, may on a showing of good cause extend the deadline for providing notice of a claim prescribed by Subsection (b).

(d) The extension of a deadline under Subsection (c) may not exceed 120 days.

(e) For the purposes of Subsection (c), "good cause" includes military deployment.

(3) Redesignate subsections and any references to those subsections appropriately.

The amendment to **CSSB 1628** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 12.

Senator Fraser offered the following amendment to the bill:

Floor Amendment No. 13

Amend **CSSB 1628** (senate committee printing) in SECTION 7 of the bill, in added Section 541.1541(f), Insurance Code (page 2, line 67), by striking "Notice" and substituting "A presuit notice".

The amendment to **CSSB 1628** was read and was adopted without objection.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 13.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 14

Amend SECTION 21 (Page 6, Lines 6-19 to 6-58) of **CSSB 1628** (Senate Committee Report) as follows:

(1) Strike lines 6-19 and 6-20 and insert "SECTION 21. Section 27.02, Business & Commerce Code, is amended to read as follows:"

(2) Insert the following after (b) (Page 6, Line 6-58):

(c) An employee, agent, representative, contractor, adjuster, engineer, or any other individual issuing policies, handling claims, or performing any other acts on behalf of, or at the direction of, an insurer commits an offense if the person:

(1) knowingly alters, or causes to be altered, any report of damages to decrease, deflate, or otherwise manipulate the payment of a claim, or part of a claim;

(2) knowingly provides or causes to be provided to an insured any estimate or other statement as to the cost of repair for the good or service to be covered that has been decreased, deflated, or otherwise manipulated; or

(3) knowingly provides or causes to be provided to the insured any false information as to the scope of damage, cost of repair or policy coverage.

(d) [~~e~~] An offense under this section is a Class A misdemeanor.

The amendment to **CSSB 1628** was read.

On motion of Senator L. Taylor, Floor Amendment No. 14 was tabled by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Lucio, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

On motion of Senator L. Taylor and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1628 as amended was passed to engrossment by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Eltife, Estes, Fraser, Hall, Hancock, Huffines, Huffman, Kolkhorst, Lucio, Nelson, Nichols, Perry, Schwertner, Seliger, L. Taylor, V. Taylor.

Nays: Ellis, Garcia, Hinojosa, Menéndez, Rodríguez, Uresti, Watson, West, Whitmire, Zaffirini.

SENATE BILL 149 WITH HOUSE AMENDMENTS

Senator Seliger called **SB 149** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Amendment

Amend **SB 149** by substituting in lieu thereof the following:

A BILL TO BE ENTITLED

AN ACT

relating to alternative methods for satisfying certain public high school graduation requirements, including the use of individual graduation committees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 12.104, Education Code, is amended by adding Subsection (b-2) to read as follows:

(b-2) An open-enrollment charter school is subject to the requirement to establish an individual graduation committee under Section 28.0258. This subsection expires September 1, 2017.

SECTION 2. Section 28.025, Education Code, is amended by adding Subsection (c-6) to read as follows:

(c-6) Notwithstanding Subsection (c), a person may receive a diploma if the person is eligible for a diploma under Section 28.0258. This subsection expires September 1, 2017.

SECTION 3. Subchapter B, Chapter 28, Education Code, is amended by adding Sections 28.0258 and 28.0259 to read as follows:

Sec. 28.0258. HIGH SCHOOL DIPLOMA AWARDED ON BASIS OF INDIVIDUAL GRADUATION COMMITTEE REVIEW. (a) This section applies only to an 11th or 12th grade student who has failed to comply with the end-of-course assessment instrument performance requirements under Section 39.025 for not more than one course.

(b) For each student to whom this section applies, the school district that the student attends shall establish an individual graduation committee at the end of or after the student's 11th grade year to determine whether the student may qualify to graduate as provided by this section. A student may not qualify to graduate under this section before the student's 12th grade year. The committee shall be composed of:

(1) the principal or principal's designee;
(2) for the end-of-course assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;

(3) the student's school counselor; and

(4) as applicable:

(A) the student's parent or person standing in parental relation to the student;

(B) a designated advocate described by Subsection (c) if the person described by Paragraph (A) is unable to serve; or

(C) the student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

(c) The commissioner by rule shall establish a procedure for appointing an alternative committee member if a person described by Subsection (b) is unable to serve, including appointing a designated advocate for the student if the student's parent or person standing in parental relation to the student is unable to serve. The superintendent of each school district shall establish procedures for the convening of an individual graduation committee.

(c-1) Notwithstanding Subsection (c), for the 2014-2015 school year, the school district that the student attends shall establish procedures for appointing alternative committee members as provided by Subsection (c). This subsection expires September 1, 2015.

(c-2) A school district shall provide an appropriate translator, if available, for the appropriate person described under Subsection (b)(4) who is unable to speak English.

(d) The school district shall ensure a good faith effort is made to timely notify the appropriate person described under Subsection (b)(4) of the time and place for convening the individual graduation committee and the purpose of the committee. The notice must be:

(1) provided in person or by regular mail or e-mail;

(2) clear and easy to understand; and

(3) written in English, in Spanish, or, to the extent practicable, in the native language of the appropriate person described by Subsection (b)(4).

(e) To be eligible to graduate and receive a high school diploma under this section, a student must successfully complete the curriculum requirements identified by the State Board of Education under Section 28.025(a).

(f) Notwithstanding any other law, a student's individual graduation committee established under this section shall recommend additional requirements by which the student may qualify to graduate, including:

(1) additional remediation; and

(2) for the end-of-course assessment instrument on which the student failed to perform satisfactorily:

(A) the completion of a project related to the subject area of the course that demonstrates proficiency in the subject area; or

(B) the preparation of a portfolio of work samples in the subject area of the course, including work samples from the course that demonstrate proficiency in the subject area.

(g) For purposes of Subsection (f), a student may submit to the individual graduation committee coursework previously completed to satisfy a recommended additional requirement.

(h) In determining whether a student for whom an individual graduation committee is established is qualified to graduate, the committee shall consider:

(1) the recommendation of the student's teacher in the course for which the student failed to perform satisfactorily on an end-of-course assessment instrument;

(2) the student's grade in the course for which the student failed to perform satisfactorily on an end-of-course assessment instrument;

(3) the student's score on the end-of-course assessment instrument on which the student failed to perform satisfactorily;

(4) the student's performance on any additional requirements recommended by the committee under Subsection (f);

(5) the number of hours of remediation that the student has attended, including:

(A) attendance in a college preparatory course required under Section 39.025(b-2), if applicable; or

(B) attendance in and successful completion of a transitional college course in reading or mathematics;

(6) the student's school attendance rate;

(7) the student's satisfaction of any of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board;

(8) the student's successful completion of a dual credit course in English, mathematics, science, or social studies;

(9) the student's successful completion of a high school pre-advanced placement, advanced placement, or international baccalaureate program course in English, mathematics, science, or social studies;

(10) the student's rating of advanced high on the most recent high school administration of the Texas English Language Proficiency Assessment System;

(11) the student's score of 50 or greater on a College-Level Examination Program examination;

(12) the student's score on the ACT, the SAT, or the Armed Services Vocational Aptitude Battery test;

(13) the student's completion of a sequence of courses under a career and technical education program required to attain an industry-recognized credential or certificate;

(14) the student's overall preparedness for postsecondary success; and

(15) any other academic information designated for consideration by the board of trustees of the school district.

(i) After considering the criteria under Subsection (h), the individual graduation committee may determine that the student is qualified to graduate. Notwithstanding any other law, a student for whom an individual graduation committee is established may graduate and receive a high school diploma on the basis of the committee's decision only if the student successfully completes all additional requirements recommended by the committee under Subsection (f), the student meets the requirements of Subsection (e), and the committee's vote is unanimous. The commissioner by rule shall establish a timeline for making a determination under this subsection. This subsection does not create a property interest in graduation. The decision of a committee is final and may not be appealed.

(i-1) Notwithstanding Subsection (i), for the 2014-2015 school year, the school district that the student attends shall establish a timeline for making a determination under Subsection (i). This subsection expires September 1, 2015.

(j) Notwithstanding any action taken by an individual graduation committee under this section, a school district shall administer an end-of-course assessment instrument to any student who fails to perform satisfactorily on an end-of-course assessment instrument as provided by Section 39.025(b). For purposes of Section 39.053(c)(1), an assessment instrument administered as provided by this subsection is considered an assessment instrument required for graduation retaken by a student.

(k) The commissioner shall adopt rules as necessary to implement this section not later than the 2015-2016 school year.

(l) This section expires September 1, 2017.

Sec. 28.0259. REPORTING REQUIREMENTS FOR STUDENTS GRADUATING BASED ON INDIVIDUAL GRADUATION COMMITTEE REVIEW PROCESS. (a) Each school district shall report through the Public Education Information Management System (PEIMS) the number of district students each school year who are awarded a diploma based on the decision of an individual graduation committee as provided by Section 28.0258.

(b) A school district shall report the information required by Subsection (a) not later than December 1 of the school year following the school year the student is awarded a diploma.

(c) The agency shall make the information reported under this section available on the agency's Internet website.

(d) The commissioner shall adopt rules as necessary to implement this section not later than the 2015-2016 school year.

(e) This section expires September 1, 2018.

SECTION 4. Section 39.025, Education Code, is amended by adding Subsections (a-2) and (a-3) to read as follows:

(a-2) Notwithstanding Subsection (a), a student who has failed to perform satisfactorily on an end-of-course assessment instrument in the manner provided under this section may receive a high school diploma if the student has qualified for graduation under Section 28.0258. This subsection expires September 1, 2017.

(a-3) A student who, after retaking an end-of-course assessment instrument for Algebra I or English II, has failed to perform satisfactorily as required by Subsection (a), but who receives a score of proficient on the Texas Success Initiative (TSI) diagnostic assessment for the corresponding subject for which the student failed to

perform satisfactorily on the end-of-course assessment instrument satisfies the requirement concerning the Algebra I or English II end-of-course assessment, as applicable. This subsection expires September 1, 2017.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Floor Amendment No. 1

Amend **CSSB 149** (house committee printing) on page 2, line 10, by striking "the student's school counselor" and substituting "the department chair or lead teacher supervising the teacher described by Subdivision (2)".

Floor Amendment No. 2

Amend **CSSB 149** (house committee report) on page 3, lines 18-20, by striking "a student must successfully complete the curriculum requirements identified by the State Board of Education under Section 28.025(a)" and substituting the following:
a student must successfully complete the curriculum requirements required for high school graduation:

(1) identified by the State Board of Education under Section 28.025(a); or
(2) as otherwise provided by the transition plan adopted by the commissioner under Section 28.025(h)

Floor Amendment No. 3

Amend **CSSB 149** (house committee report) as follows:

- (1) On page 1, line 22, strike "one course" and substitute "two courses".
- (2) On page 2, line 7, strike "the" and substitute "each".
- (3) On page 3, line 26, strike "the" and substitute "each".
- (4) On page 4, line 13, strike "in the" and substitute "in each".
- (5) On page 4, line 16, strike "in the" and substitute "in each".
- (6) On page 4, line 19, strike "on the" and substitute "on each".
- (7) On page 7, lines 19-20, strike "an end-of-course assessment instrument" and substitute "end-of-course assessment instruments".

Floor Amendment No. 4

Amend **CSSB 149** (house committee report) as follows:

- (1) On page 1, line 17, strike "Sections 28.0258 and 28.0259" and substitute "Sections 28.0258, 28.02581, and 28.0259".

- (2) On page 6, after line 27, insert the following:

Sec. 28.02581. INDIVIDUALIZED GRADUATION COMMITTEE REVIEW FOR CERTAIN STUDENTS WHO ARE NO LONGER ENROLLED. (a) This section applies only to a student who:

- (1) is no longer enrolled in high school;
- (2) successfully completed the curriculum requirements for high school graduation applicable to the student during the period the student was enrolled in high school; and

(3) failed to comply with any end-of-course assessment instrument performance requirements for not more than one course applicable to the student during the period the student was enrolled in high school.

(b) The commissioner shall adopt rules to establish a procedure under which the school district that the student attended during the student's 12th grade year, on request by the student, shall establish an individualized graduation committee to determine whether the student may qualify to graduate in the same manner as a student qualifies to graduate under Section 28.0258.

(c) This section expires September 1, 2017.

Floor Amendment No. 1 on Third Reading

Amend **SB 149** on third reading as follows:

(1) In SECTION 3 of the bill, in the recital, strike "Sections 28.0258, 28.02581, and 28.0259" and substitute "Sections 28.0258 and 28.0259".

(2) In SECTION 3 of the bill, strike added Section 28.02581.

Floor Amendment No. 2 on Third Reading

Amend **SB 149** on third reading in SECTION 3 of the bill, in added Section 28.0259(a), Education Code, between "the number of district students each school year" and "who are awarded a diploma" by inserting "for which an individual graduation committee is established under Section 28.0258 and the number of district students each school year".

The amendments were read.

Senator Seliger moved to concur in the House amendments to **SB 149**.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Bettencourt, Birdwell, Burton, Campbell, Creighton, Ellis, Eltife, Estes, Fraser, Garcia, Hall, Hinojosa, Huffines, Huffman, Kolkhorst, Lucio, Menéndez, Nelson, Nichols, Perry, Rodríguez, Seliger, L. Taylor, V. Taylor, Uresti, Watson, West, Whitmire, Zaffirini.

Nays: Hancock, Schwertner.

SENATE RULE 7.07(b) SUSPENDED (Permission to Introduce) (Motion In Writing)

Senator Whitmire submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 7.07(b) to permit the introduction of the following bills: **SB 2067, SCR 41**.

WHITMIRE

The Motion In Writing was read and prevailed without objection.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time, and referred to the committees indicated:

SB 2066 by Eltife

Relating to the creation of the Rose City Municipal Utility District; providing authority to issue bonds; providing authority to impose assessments and fees.

To Committee on Intergovernmental Relations.

SB 2067 by Hall

Relating to the designation of a segment of Interstate 30 in Rockwall County as the Ralph Hall Highway.

To Committee on Transportation.

SB 2068 by Eltife

Relating to the Harrison County Court at Law.

To Committee on Intergovernmental Relations.

SB 2069 by Hinojosa

Relating to the powers and duties of the Hidalgo County Water Control and Improvement District No. 18; providing authority to issue bonds; providing authority to impose fees and taxes.

To Committee on Intergovernmental Relations.

SCR 41 by Perry

Designating Terry County as the official Grape Capital of Texas.

To Committee on Administration.

SENATE RULE 11.13 SUSPENDED
(Consideration of Bills in Committees)
(Motion In Writing)

Senator Hancock submitted the following Motion In Writing:

Mr. President:

I move suspension of Senate Rule 11.13 to permit committees to meet during the consideration of the Local Calendar.

HANCOCK

The Motion In Writing was read and prevailed without objection.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Intergovernmental Relations might meet tomorrow in the extension auditorium.

SENATE RULES SUSPENDED
(Posting Rules)

Senator Lucio moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Intergovernmental Relations might meet at his desk in the Senate Chamber and consider **SB 1376** today.

The motion prevailed by a viva voce vote.

All Members are deemed to have voted "Yea" on the motion to suspend the posting rules except as follows:

Nays: Watson.

(Senator Eltife in Chair)

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, April 29, 2015 - 2

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 31 Bonnen, Dennis

Relating to decreasing the state sales and use tax rate.

HB 364 Dutton

Relating to the child support obligation of an obligor during the obligor's confinement in jail or prison.

HB 606 Davis, Sarah

Relating to a study on the benefits of prenatal surgical procedures to treat birth defects.

HB 737 Aycock

Relating to the creation of regional emergency communications districts; authorizing the issuance of bonds; authorizing a fee.

HB 872 Raymond

Relating to the reactivation of a peace officer license; authorizing fees.

HB 1277 Ashby

Relating to requirements for annexation of certain commercial or industrial areas by a general-law municipality.

HB 1550 Zerwas

Relating to the administration of epinephrine by pharmacists.

HB 1701 Villalba

Relating to the approval period for a proposal for an award of a grant from the Texas Enterprise Fund.

HB 1887 Muñoz, Jr.

Relating to the establishment of a regional center for public safety excellence in the Rio Grande Valley.

HB 2007

Raymond

Relating to fees imposed by a county for licensing a junkyard or automotive wrecking and salvage yard.

HB 2115

Phillips

Relating to the initial inspection period for motor vehicles purchased by certain commercial fleet buyers.

HB 2154

Dutton

Relating to the functions and operation of the State Office of Administrative Hearings.

HB 2400

Bohac

Relating to the sale of a new motor vehicle to certain manufacturers or distributors.

HB 3052

Bonnen, Dennis

Relating to the allocation of state hotel occupancy tax revenue to certain barrier island coastal municipalities.

HB 3373

Miller, Doug

Relating to the liability of reimbursing employers under the Texas Unemployment Compensation Act.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RULES SUSPENDED
(Posting Rules)

Senator Campbell moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Veteran Affairs and Military Installations might meet at Senator Birdwell's desk in the Senate Chamber today.

The motion prevailed by a viva voce vote.

All Members are deemed to have voted "Yea" on the motion to suspend the posting rules except as follows:

Nays: Watson.

CO-AUTHOR OF SENATE BILL 142

On motion of Senator Garcia, Senator Rodríguez will be shown as Co-author of **SB 142**.

CO-AUTHOR OF SENATE BILL 183

On motion of Senator Huffman, Senator Uresti will be shown as Co-author of **SB 183**.

CO-AUTHOR OF SENATE BILL 239

On motion of Senator Schwertner, Senator Rodríguez will be shown as Co-author of **SB 239**.

CO-AUTHOR OF SENATE BILL 344

On motion of Senator Huffman, Senator V. Taylor will be shown as Co-author of **SB 344**.

CO-AUTHOR OF SENATE BILL 471

On motion of Senator Rodríguez, Senator West will be shown as Co-author of **SB 471**.

CO-AUTHOR OF SENATE BILL 750

On motion of Senator L. Taylor, Senator Garcia will be shown as Co-author of **SB 750**.

CO-AUTHOR OF SENATE BILL 777

On motion of Senator Fraser, Senator West will be shown as Co-author of **SB 777**.

CO-AUTHOR OF SENATE BILL 904

On motion of Senator Hinojosa, Senator Zaffirini will be shown as Co-author of **SB 904**.

CO-AUTHORS OF SENATE BILL 1184

On motion of Senator Huffines, Senators Hall and V. Taylor will be shown as Co-authors of **SB 1184**.

CO-AUTHOR OF SENATE BILL 1304

On motion of Senator Menéndez, Senator Hinojosa will be shown as Co-author of **SB 1304**.

CO-AUTHORS OF SENATE BILL 1305

On motion of Senator Menéndez, Senators Hinojosa and Uresti will be shown as Co-authors of **SB 1305**.

CO-AUTHORS OF SENATE BILL 1307

On motion of Senator Menéndez, Senators Hinojosa and Uresti will be shown as Co-authors of **SB 1307**.

CO-AUTHOR OF SENATE BILL 1532

On motion of Senator Burton, Senator Uresti will be shown as Co-author of **SB 1532**.

CO-AUTHOR OF SENATE BILL 1593

On motion of Senator Lucio, Senator Nichols will be shown as Co-author of **SB 1593**.

CO-AUTHOR OF SENATE BILL 1628

On motion of Senator L. Taylor, Senator V. Taylor will be shown as Co-author of **SB 1628**.

CO-AUTHOR OF SENATE BILL 1708

On motion of Senator Huffman, Senator Lucio will be shown as Co-author of **SB 1708**.

CO-AUTHORS OF SENATE BILL 1738

On motion of Senator Hinojosa, Senators Creighton and Zaffirini will be shown as Co-authors of **SB 1738**.

CO-AUTHOR OF SENATE BILL 1812

On motion of Senator Kolkhorst, Senator Schwertner will be shown as Co-author of **SB 1812**.

CO-AUTHOR OF SENATE BILL 1821

On motion of Senator Campbell, Senator Menéndez will be shown as Co-author of **SB 1821**.

CO-AUTHOR OF SENATE BILL 1824

On motion of Senator Campbell, Senator Uresti will be shown as Co-author of **SB 1824**.

CO-AUTHOR OF SENATE BILL 1984

On motion of Senator Huffman, Senator Zaffirini will be shown as Co-author of **SB 1984**.

CO-AUTHOR OF SENATE BILL 2048

On motion of Senator Huffman, Senator V. Taylor will be shown as Co-author of **SB 2048**.

CO-SPONSOR OF HOUSE BILL 975

On motion of Senator Fraser, Senator Zaffirini will be shown as Co-sponsor of **HB 975**.

CO-SPONSOR OF HOUSE JOINT RESOLUTION 73

On motion of Senator Fraser, Senator Zaffirini will be shown as Co-sponsor of **HJR 73**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SCR 42 by Eltife, In memory of Sam Wilson Russell.

SR 655 by Ellis, In memory of Catherine Geraldine Green.

SR 659 by Watson, In memory of Billy Philip Arhos.

SR 661 by Creighton, In memory of David Allen Abernathy.

SR 662 by Watson, In memory of Lanny van Allen.

Congratulatory Resolutions

SR 653 by Estes, Recognizing Dana Ables on the occasion of her retirement.

SR 654 by Ellis, Recognizing the Kelley family on the occasion of their family reunion.

SR 658 by Hall, Recognizing the dedication of an Official Texas Historical Marker for the Travis College Hill Addition.

SR 660 by Birdwell and Burton, Recognizing members of the Burleson Young Executives Alliance on the occasion of their visit to the Capitol.

SR 663 by West, Recognizing Linda Henrie on the occasion of her retirement.

SR 664 by Schwertner, Recognizing the opening of a new facility of the Hillier Funeral Home.

SR 665 by V. Taylor, Recognizing Leadership Prep School for receiving the 2015 Best of Frisco Award.

Official Designation Resolution

SR 657 by Rodríguez, Recognizing the week of May 4 through May 10, 2015, as Celebration of Texas STEM Education Week in El Paso.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 4:45 p.m. agreed to adjourn, in memory of Bob Lanier, upon conclusion of the Local and Uncontested Calendar Session, until 10:00 a.m. tomorrow.

RECESS

On motion of Senator Whitmire, the Senate at 4:45 p.m. recessed until 8:30 a.m. tomorrow for the Local and Uncontested Calendar Session.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

April 29, 2015

INTERGOVERNMENTAL RELATIONS — SJR 48, SB 998, SB 1001, SB 1436, SB 2002, SB 2007, SB 2008, SB 2009, SB 2010, SB 2011, SB 2012, SB 2013, SB 2014, SB 2027, SB 2036, CSSB 305, CSSB 797, CSSB 976, CSSB 1575, CSSB 1634, CSSB 1716, CSSB 2028, CSSB 2039

ADMINISTRATION — HB 1443, SCR 38, HB 3031

INTERGOVERNMENTAL RELATIONS — CSSB 2037

CRIMINAL JUSTICE — HB 593

FINANCE — CSSB 755

STATE AFFAIRS — SB 1034, SB 1934, SB 1913, CSSB 834, CSSB 1192, CSSB 1437, CSSB 1600

NATURAL RESOURCES AND ECONOMIC DEVELOPMENT — CSSB 1389

EDUCATION — CSSB 313

BUSINESS AND COMMERCE — CSSB 1427, CSSB 1950, CSSB 1585, CSSB 1367, CSSB 1650

FINANCE — CSSB 62

STATE AFFAIRS — SB 585, CSSB 575, CSSB 586, CSSB 1267

BILLS AND RESOLUTION ENGROSSED

April 28, 2015

SB 19, SB 139, SB 677, SB 735, SB 762, SB 854, SB 918, SB 1133, SB 1655, SB 1734, SB 1756, SB 1880, SB 1929, SB 2048, SB 2049, SJR 12

RESOLUTIONS ENROLLED

April 28, 2015

SR 641, SR 643, SR 644, SR 645, SR 646, SR 647, SR 648, SR 649, SR 650, SR 651, SR 652

**In Memory
of
Bob Lanier**

Senate Concurrent Resolution 17

WHEREAS, The city of Houston lost a galvanizing leader with the passing of former mayor Bob Lanier on December 20, 2014, at the age of 89; and

WHEREAS, Born to Jesse and Sally Lanier on March 10, 1925, Robert Clayton Lanier grew up in Baytown and served as a naval officer during World War II; he attended the University of New Mexico and subsequently earned a law degree from The University of Texas at Austin; though he enjoyed successful careers in law, banking, and real estate, he ultimately found himself drawn to politics and public service; he chaired the Texas Highway Commission from 1983 to 1987 and then led Houston's Metropolitan Transit Authority for a year; and

WHEREAS, First elected mayor in 1991, Mr. Lanier was reelected by an overwhelming majority in 1993 and again in 1995; although the city's adoption of term limits precluded a fourth run for the office, his fierce intelligence, deep knowledge of public policy, and skillful coalition-building allowed him to effect far-reaching changes over the course of his six-year tenure; he fulfilled a campaign promise to increase police patrols and reduce crime, and he made great strides in revitalizing the downtown area and improving infrastructure in disadvantaged neighborhoods; moreover, he was an unyielding champion of ethnic diversity, and toward the end of his final term, he led a successful campaign to save the city's affirmative action program for minority business owners; and

WHEREAS, After leaving office, Mr. Lanier remained a force in Houston politics and civic affairs; he hosted fund-raisers, supported charities, and founded the Lanier Public Policy Conference at the University of Houston; and

WHEREAS, Frequently recognized for his outstanding service to Houston and to the State of Texas, Mr. Lanier received such prestigious accolades as the Hubert Humphrey Civil Rights Award and the Ben Taub Humanitarian Award; he was praised by former presidents Bill Clinton and George W. Bush, and *Texas Monthly* magazine named him one of the top three Texas mayors of the 20th century; and

WHEREAS, Mr. Lanier married Elizabeth Grant in 1954, and the couple became the proud parents of five children; after being widowed, Mr. Lanier exchanged wedding vows in 1984 with Elyse Bauer and welcomed into his heart and home her two children; and

WHEREAS, A man of tremendous energy and ability, Bob Lanier helped shape the destiny of a great American city through his determination to enhance the quality of life for all its residents, and his enormous contributions as a public servant and civic leader will continue to resonate for years to come; now, therefore, be it

RESOLVED, That the 84th Legislature of the State of Texas hereby pay tribute to the memory of the Honorable Bob Lanier and extend sincere sympathy to the members of his family: to his wife, Elyse Lanier; to his children, Robert Clayton Lanier Jr. and his wife, Donna, John Frederic Lanier, Elizabeth Lanier Campbell, Susan Holly Lanier, Scott Augustus Lanier, Courtney Lanier Sarofim and her husband, Christopher, and Kevin Scott Robins and his wife, Sara; to his grandchildren, Robert Clayton Lanier III, Carlton Thomas Lanier, Brent Lanier Campbell, Judith Ann Lanier, Mary Jessica Lanier, Robert Mitchell Lanier, Gillian Stude Sarofim, Louisa Lanier Sarofim, Fayez Shalaby Sarofim II, Eva Elyse Robins, and Rhett Ezekiel Robins; and to his other relatives and many friends; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas House of Representatives and Senate adjourn this day, they do so in memory of Bob Lanier.

WHITMIRE
BETTENCOURT
CREIGHTON
ELLIS
GARCIA

HUFFMAN
KOLKHORST
NICHOLS
L. TAYLOR